

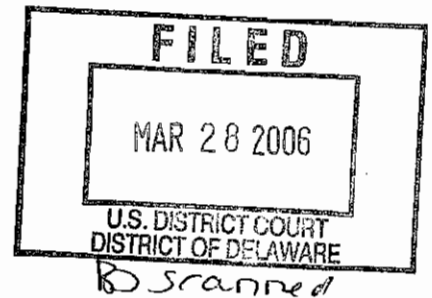
Petition UNDER 28 USC § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

William J. HAMMONS

V.

THOMAS L. CARROLL, WARDEN,  
AND CARL C. DANBERG,  
ATTORNEY GENERAL FOR THE  
STATE OF DELAWARE.

CIV. ACT. NO. 05-718-KAJ



Motion FOR EXPANSION OF RECORD

COMES NOW, THE PETITIONER, WILLIAM J. HAMMONS, WHO MOVES THIS HONORABLE COURT TO ALLOW HIM TO EXPAND THE RECORD IN THE ABOVE CAPTIONED CASE IN ACCORDANCE WITH RULE #7 OF 28 USC 2254. THIS EXPANSION WOULD INCLUDE TWO AFFIDAVITS BY THE PETITIONER WHICH ARE CRUCIAL TO HIS ARGUMENTS IN HIS HABEAS PETITION.

IN SUPPORT THEREOF, PETITIONER OFFERS THE FOLLOWING:

- 1) PETITIONER IS A PRO-SE LITIGANT WITH NO LEGAL TRAINING AND IS UNFAMILIAR WITH LEGAL PROCEDURES, ESPECIALLY IN REGARDS TO HABEAS CORPUS PETITIONS.
- 2) PETITIONERS MOTION FOR APPOINTMENT OF COUNSEL HAS NOT YET BEEN RULED UPON BY THIS COURT SO PETITIONERS ONLY LEGAL ADVICE COMES TO HIM THROUGH INMATE PARALEGALS.
- 3) INMATE PARALEGAL ADVISED PETITIONER TO FILE THIS MOTION AT THIS TIME.

FOR THE FOREGOING REASON, PETITIONER REQUEST THE COURT ALLOW HIM TO EXPAND THE RECORD AT THIS TIME.

Respectfully Submitted,

Date: 3-25-06

William J. Hammons  
William J. Hammons  
# 166139  
DEL. CORR. CTR.  
1181 Paddock Rd.  
SMYRNA, DE. 19977

AFFIDAVIT

I, William Jay HAMMONS, Being Sworn,  
deposes and says THAT, FOR THE ENTIRE TIME  
I WAS REPRESENTED BY ATTORNEY ANDREW J. WITHERELL,  
His only advice TO ME WAS TO PLEAD guilty OR  
I would Be Found guilty AND given A LIFE SENTENCE.

I FURTHER SWEAR THAT HE NEVER GAVE ME A  
COPY OF THE DNA EVIDENCE IN MY CASE UNTIL 5 MONTHS  
AFTER THE PLEA, HE CONTINUALLY TOLD ME AND MY  
PARENTS THAT DNA DID NOT CLEAR ME WITH  
RESPECT TO THE pubic Hair Found IN KRISTEN  
BAKALAR'S UNDERWEAR THE NIGHT OF THE ALLEGED  
RAPE, HE NEVER DISCUSSED THE DNREC REPORT  
WRITTEN BY OFFICER WALES ON SEPT. 18<sup>th</sup>, 1998 OF  
A RAPE THAT HAPPENED WHICH WAS THE EXACT SAME  
MODUS OPERANDI OF THE BAKALAR INCIDENT, NOR  
DID HE EVER INTERVIEW THAT VICTIM OR OBTAIN A  
REPORT FROM HER. BECAUSE OF THIS AND OTHER  
KEY FACTS AND/OR EVIDENCE WITHHELD FROM ME, MY  
CONFIDENCE IN MY DEFENSE WAS SERIOUSLY UNDERMINED.

I SWEAR THESE FACTS ARE TRUE UNDER PENALTY  
OF PERJURY.

William J. Hammons

11-30-05

Subscribed to before me  
this 30<sup>th</sup> day November, 2005

Timothy J. Marts  
(Notary Public)

my Commission expires: June 14<sup>th</sup> 2006

Affidavit

I, William Jay HAMMONS, BEING duly SWORN,  
deposes and says THAT, I AM FACTUALLY INNOCENT  
OF ALL CHARGES RELATING TO THE ALLEGED RAPE  
AND KIDNAPPING OF KRISTEN BALKAR, AND OF  
ALL ATTEMPTED RAPE AND KIDNAPPING CHARGES  
RELATING TO MAGOLNA KESKENY.

I SWEAR THESE FACTS TO BE TRUE AND  
CORRECT UNDER THE PENALTY OF PERJURY.

11-30-05

William J. Hammons

Subscribed to before me  
This 30th day November, 2005

Timothy J. Marts  
(Notary Public)

my Commission expires: June 14th 2006

Certificate of Service

I, William J. Hammons, hereby certify that I have served a true  
and correct cop(ies) of the attached: 2 Affidavits For District  
Court upon the following  
parties/person (s):

TO: ELIZABETH R. McFARLAN  
Deputy Attorney General  
Dept. of Justice  
820 N. FRENCH ST.  
WILM., DE. 19801

TO: CLERK  
UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE  
844 N. KING ST.  
WILM., DE. 19801-3570

TO: \_\_\_\_\_  
\_\_\_\_\_  
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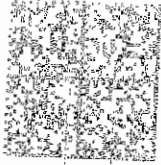
TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**BY PLACING SAME IN A SEALED ENVELOPE** and depositing same in the United States Mail at the Delaware Correctional Center, 1181 Paddock Road, Smyrna, DE 19977.

On this 25<sup>th</sup> day of MARCH, 2006

William J. Hammons

William J. Hammons  
# 166139  
DEL. Corr. Ctr.  
1181 PADDOCK RD.  
SMYRNA, DE. 19957



U.S. MAIL  
X-RAY

CLERK  
UNITED STATES District Court  
District of Delaware  
844 N. King St., Lock Box 12  
Wilmington, DE. 19801-3570

Leg  
WJH